

1 MARK D. HARRISON (State Bar No. 142958)
2 SEAN K. HUNGERFORD (State Bar No. 200268)
3 ADAM K. GUERNSEY (State Bar No. 282105)
4 RUSSELL A. FRINK (State Bar No. 302522)
5 HARRISON, TEMBLADOR,
6 HUNGERFORD & GUERNSEY LLP
7 2801 T Street
8 Sacramento, CA 95816
9 Telephone: (916) 382-4377
10 Facsimile: (916) 382-4380
11
12 Attorneys for GRANITE CONSTRUCTION COMPANY
13 a California corporation, Plaintiff

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 GRANITE CONSTRUCTION COMPANY, A
17 California corporation,

18 Plaintiff,

19 v.

20 COUNTY OF YOLO, a political subdivision
21 of the State of California, and YOLO
22 COUNTY BOARD OF SUPERVISORS,

23 Defendants.

Case No. 2:21-CV-01362-JAM-JDP
Hon. John A. Mendez

**AMENDED STIPULATION AND ORDER
MODIFYING PRETRIAL SCHEDULING
ORDER**

24 ///

25 ///

26 ///

AMENDED STIPULATION MODIFYING PRETRIAL SCHEDULING ORDER

Plaintiff GRANITE CONSTRUCTION COMPANY (“Plaintiff”) and Defendants COUNTY OF YOLO and YOLO COUNTY BOARD OF SUPERVISORS (“Defendants”), by and through their respective counsel, hereby stipulate and agree as follows:

WHEREAS this Court has established and amended deadlines for discovery and other matters through its Pretrial Scheduling Orders, dated October 4, 2021, and March 23, 2022 (ECF Nos. 11 and 18).

WHEREAS the Parties have devoted significant time and resources to settlement negotiations and have agreed by stipulation, and subsequent Order of this Court, to suspend all discovery and to focus instead on resolving their dispute (see ECF No. 18).

WHEREAS these negotiations have tentatively been successful, and the Parties have agreed in principle to a settlement that would conclude this case based upon, among other things, actions and public processes to be undertaken by Defendants to modify the Development Agreement at the heart of this litigation.

WHEREAS, as it may require a period of months for Defendants to undertake and complete these processes, the Parties jointly desire to extend the deadlines in the existing Pretrial Scheduling Order (ECF No. 18) to allow time for these processes to occur.

ACCORDINGLY, the Parties stipulate to amend the existing Pretrial Scheduling Order (ECF No. 18) to replace the existing deadlines with the proposed schedule listed in the table below:

Deadline	Existing Schedule (ECF No. 18)	Proposed Schedule
Joint Mid-Litigation Statement	July 31, 2022	Fourteen (14) days prior to the close of discovery.
Discovery Cutoff	August 14, 2022	January 31, 2023
Dispositive Motion Cutoff	November 18, 2022	March 31, 2023
Dispositive Motion Hearing	January 24, 2023	June 6, 2023 at 1:30 PM
Final Pretrial Conference	March 10, 2023	July 14, 2023 at 10:00 AM
Trial	April 24, 2023	August 28, 2023 at 9:00 AM

All other deadlines in the Court’s prior Pretrial Scheduling Order (ECF No. 18) shall remain unchanged.

1 So stipulated.

2 Dated: May 26, 2022

COLE HUBER LLP

3
4 By: /S/ Derek P. Cole
5 Derek P. Cole
6 Attorneys for Defendants COUNTY OF YOLO, a
7 and YOLO COUNTY BOARD OF
SUPERVISORS

8 Dated: May 26, 2022

HARRISON, TEMBLADOR, HUNGERFORD &
GUERNSEY

10
11 By: /S/ Sean K. Hungerford
12 Sean K. Hungerford
13 Attorneys for Plaintiff GRANITE
CONSTRUCTION COMPANY

ORDER

For good cause, this Court approves the Parties' proposed amendments to the existing March 23, 2022 Pretrial Scheduling Order, and hereby adopts the following schedule:

Deadline	Adopted Schedule
Joint Mid-Litigation Statement	Fourteen (14) days prior to the close of discovery.
Discovery Cutoff	January 31, 2023
Dispositive Motion Cutoff	March 31, 2023
Dispositive Motion Hearing	June 6, 2023 at 1:30 PM
Final Pretrial Conference	July 14, 2023 at 10:00 AM
Trial	August 28, 2023 at 9:00 AM

IT IS SO ORDERED.

Dated: May 31, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE